

property in said road district; approving and validating all orders of the commissioners court of said county in respect of said designated road district bonds, but none others, and taxes, or certified copies thereof, and constituting such orders legal evidence; evidencing proof of publication of constitutional notice required in such acts, and declaring an emergency."

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,

Austin, Texas, February 1, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 223, A bill to be entitled "An Act to amend Article 4351, Revised Civil Statutes, 1925, by adding thereto Article 4351a, limiting the amount of deficiency warrants the Governor may approve; declaring all warrants in violation hereof invalid and unredeemable, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

SEVENTEENTH DAY.

(Wednesday, February 2, 1927.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Bobbitt.

The roll was called, and the following members were present:

Acker.	Denman.
Albritton.	Dielmann.
Anderson.	Dunlap.
Avis.	Durham.
Barnett.	Duvall.
Barron.	Enderby.
Bass.	Eickenroht.
Bateman.	Farrar.
Beck.	Faulk.
Bird.	Finlay.
Black.	Fly.
Boggs.	Forbes.
Boon.	Fuchs.
Branch.	Gates.
Conway.	Gibson.
Cornwell.	Gilbert.
Cox.	Graves.
Cummings.	Gray.
Dale.	Hagaman.
Daniel.	Hall.
Davis.	Harding.
DeBerry.	Harman.

Hefley.	Renfro of Mills.
High.	Rogers of Hays.
Holder.	Rogers of Shelby.
Holland.	Rowell.
Hornaday.	Runge.
Jacks.	Sanders.
Johnson.	Satterwhite.
Jones.	Shaver.
Justice.	Shearer.
Kayton.	Sheats.
Kemble.	Shirley.
Kennedy.	Simmons.
Kenyon.	Sinks.
Kincaid.	Smith of Atascosa.
King of Hopkins.	Smith of El Paso.
Kirkland.	Smith of Nueces.
Land.	Smith of Smith.
Lipscomb.	Smyth.
Loftin.	Snelgrove.
Long.	Stell.
Loy.	Stevenson.
Masterson.	Storey.
McCombs.	Stout.
McGill.	Sutton.
McKean.	Swain.
Merritt.	Taylor.
Minor.	Teer.
Montgomery.	Turner.
Moore.	Van Zandt.
Morse.	Veatch.
Moursund.	Waddell.
Murphy.	Walker.
Nabors.	Wallace
Nicholson.	of Freestone.
Olsen.	Wallace of Panola.
Parish of Runnels.	Wallace of Smith.
Parrish of Travis.	Ware.
Pavlica.	Wassell.
Pearce.	Webb.
Petsch.	Wells.
Poage.	Whitaker.
Pool.	Williams
Pope.	of Sabine.
Porter.	Williams
Purl.	of Travis.
Ramsey.	Williamson.
Rawlins.	Woodall.
Renfro	Woodruff.
of Angelina.	Young.

Absent—Excused.

Alexander.	King of
Bonham.	Throckmorton.
Brown.	Kirby.
Foster.	Powell.
Kinnear.	Reagan.
	Tillotson.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Alexander for today, on motion of Mr. Moursund.

Mr. Foster for today, on motion of Mr. Morse.

Mr. Reagan for today, on motion of Mr. Smith of Smith.

Mr. Pearce for today, on motion of Mr. Enderby.

Mr. Montgomery for today, on motion of Mr. Wells.

The following members were granted leaves of absence on account of illness:

Mr. Powell for today and the balance of the week, on motion of Mr. Moursund.

Mr. Kinnear for today, on motion of Mr. Nicholson.

Mr. King of Throckmorton for today, on motion of Mr. Boggs.

Mr. Tillotson for today, on motion of Mr. Fly.

Mr. Brown for today, on motion of Mr. Poage.

Mr. Kirby for today and the balance of the week, on motion of Mr. Sanders.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees as follows:

By Mr. Anderson:

H. B. No. 405, A bill to be entitled "An Act to amend Article 689 of the Revised Penal Code of the State of Texas of 1925, so as to provide adequate and proper punishment for the violation of Chapter 7, of Title 11, of said Penal Code; repealing all laws and parts of laws in conflict with the provisions thereof, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Hornaday (by request):

H. B. No. 406, A bill to be entitled "An Act making it unlawful to unload refuse and hard substances upon the public roads or highways, and providing the penalty for violation of same."

Referred to Committee on Criminal Jurisprudence.

By Mr. Parish of Runnels:

H. B. No. 407, A bill to be entitled "An Act to amend Article 6680, Title 116, Chapter 2, of the Revised Civil Statutes of 1925, so as to provide for the registration of trailers drawn behind motor vehicles, and providing for annual license fee, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Land and Mr. Young:

H. B. No. 408, A bill to be entitled "An Act to amend Article 1038 of the Code of Criminal Procedure of the State of Texas of 1925, providing that the county shall be liable for expense of food and lodging for jurors impaneled in a felony case."

Referred to Committee on Criminal Jurisprudence.

By Mr. Parish of Runnels:

H. B. No. 409, A bill to be entitled "An Act to amend Article 3832, Title 57, Revised Civil Statutes, 1925, so as to increase the number of horses exempted to a family, and further define a carriage as exempted to a family."

Referred to Judiciary Committee.

By Mr. Hornaday and Mr. Jacks:

H. B. No. 410, A bill to be entitled "An Act increasing the maximum commission to be retained by the county treasurer in certain instances, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Finlay:

H. B. No. 411, A bill to be entitled "An Act to create a more efficient road system for San Saba county, Texas, and making the commissioners of said county ex-officio road commissioners in their respective precincts and prescribing their duties as such; and providing for the compensation of road commissioners; defining the duties of the commissioners court with reference to the roads and bridges; providing for the appointment of overseers and defining their duties, and providing for compensation for certain labors; providing penalties for violation of the provisions of this act; giving persons subject to road duty in San Saba county and persons summoned to work on the public roads of said county, the right to be relieved from the discharge of such duty upon the payment of specific sums of money herein stipulated; and providing for the accounting for and the disposition to be made of the money so paid; limiting the purpose for which road and bridge funds shall be used; authorizing and providing for the working of county convicts upon the public roads, and providing for the payment of officers' fees; providing that delinquent poll tax payers shall be subject to three days' duty; requiring the tax collector of San Saba county to furnish to the commissioners court a list of all persons who fail to pay their poll tax; provid-

ing for the condemnation of any land needed for the widening of public roads; providing for the taking of timber, gravel, earth, stone or other material for the making or improving of public roads and bridges; requiring certain road and bridge work to be done by contract; authorizing and empowering the said San Saba county to issue bonds for the construction and maintenance of public roads and bridges within said county, and provide for a tax to create a sinking fund to pay the same; providing that this act shall control in San Saba county in all cases wherein it differs from or is inconsistent and conflicts with the general law on the subject of roads and bridges, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Kirkland:

H. B. No. 412, A bill to be entitled "An Act to amend Article 1350, of Title 17, Chapter 3, of the Revised Criminal Statutes of the State of Texas of 1925, providing penalties for persons wilfully and maliciously destroying personal property, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Rowell:

H. B. No. 413, A bill to be entitled "An Act to amend Article 6954 of the Revised Civil Statutes, 1925, and as amended by Chapter 11, First Called Session of the Thirty-ninth Legislature, so as to include Marion county within the provisions of said article, which relates to stock law elections, and declaring an emergency."

Referred to Committee on Stock and Stock Raising.

By Mr. Masterson:

H. B. No. 414, A bill to be entitled "An Act to amend Article 3152, of Chapter 13, Title 50, of the Revised Civil Statutes of 1925, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Masterson:

H. B. No. 415, A bill to be entitled "An Act to amend Article 1989, of Chapter 1, Title 42, of the Revised Civil Statutes of 1925, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Shaver:

H. B. No. 416, A bill to be entitled "An Act to require the subject of fire prevention, and the relation of fire prevention to the conservation of life and property, and to the cost of fire waste and insurance, and the principles of construction in building to prevent and control fire, and the relation of insurance to fire waste, to be taught in the public schools of this State, and also in all other schools conducted in the State in which instruction is given corresponding to that given in the public schools; providing that the teaching of fire prevention shall include the practice of fire drills, and prescribing the duties of the State Superintendent of Public Instruction and the State Fire Insurance Commission in the administration of said act, and declaring an emergency."

Referred to Committee on Education.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees as follows:

Senate bill No. 25, to the Judiciary Committee.

Senate bill No. 58, to the Committee on Privileges, Suffrage and Elections.

Senate bill No. 172, to the Committee on Municipal and Private Corporations.

Senate bill No. 234, to the Committee on Appropriations.

BILL ORDERED PRINTED.

Mr. Renfro of Angelina moved that House bill No. 233, reported adversely with a minority favorable report, be printed.

Mr. Duvall moved to table the motion.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—52.

Anderson.	Gray.
Barnett.	Hall.
Bass.	Hefley.
Beck.	High.
Black.	Holder.
Branch.	Kemble.
Conway.	Kennedy.
DeBerry.	Kincaid.
Dunlap.	Land.
Duvall.	Lipscomb.
Enderby.	McCombs.
Finlay.	McKean.
Fly.	Morse.
Forbes.	Moursund.

Murphy.	Smyth.
Nabors.	Stevenson.
Parish of Runnels.	Stout.
Pool.	Teer.
Pope.	Veatch.
Rawlins.	Wallace
Rogers of Hays.	of Freestone.
Rogers of Shelby.	Wallace of Panola.
Runge.	Wells.
Shearer.	Williams
Simmons.	of Sabine.
Sinks.	Williamson.
Smith of Nueces.	

Nays—57.

Acker.	McGill.
Albritton.	Merritt.
Barron.	Moore.
Bateman.	Olsen.
Bird.	Pavlica.
Boggs.	Porter.
Boon.	Ramsey.
Cornwell.	Renfro
Dale.	of Angelina.
Daniel.	Rowell.
Davis.	Sanders.
Denman.	Shaver.
Dielmann.	Shirley.
Durham.	Smith of Atascosa.
Eickenroht.	Smith of Smith.
Farrar.	Snelgrove.
Faulk.	Stell.
Fuchs.	Swain.
Gates.	Turner.
Gibson.	Van Zandt.
Gilbert.	Waddell.
Hagaman.	Walker.
Johnson.	Wallace of Smith.
Justice.	Ware.
King of Hopkins.	Wassell.
Kirkland.	Webb.
Loftin.	Woodall.
Long.	Young.
Masterson.	

Absent.

Avis.	Pearce.
Cox.	Petsch.
Cummings.	Poage.
Graves.	Purl.
Harding.	Renfro of Mills.
Harman.	Satterwhite.
Holland.	Sheats.
Hornaday.	Smith of El Paso.
Jacks.	Storey.
Jones.	Sutton.
Kayton.	Taylor.
Loy.	Whitaker.
Minor.	Williams
Montgomery.	of Travis.
Nicholson.	Woodruff.
Parrish of Travis.	

Absent—Excused.

Alexander.	Brown.
Bonham.	Foster.

Kenyon.	Kirby.
Kinnear.	Powell.
King of	Reagan.
Throckmorton.	Tillotson.

Question recurring on the motion to print the bill on the minority report, yeas and nays were demanded.

The motion to print prevailed by the following vote:

Yeas—60.

Acker.	McGill.
Albritton.	Merritt.
Barron.	Moore.
Bass.	Murphy.
Bateman.	Olsen.
Bird.	Pavlica.
Black.	Porter.
Boggs.	Ramsey.
Boon.	Renfro
Cornwell.	of Angelina.
Dale.	Rowell.
Daniel.	Sanders.
Davis.	Satterwhite.
Denman.	Shaver.
Dielmann.	Shirley.
Durham.	Smith of Atascosa.
Enderby.	Smith of Nueces.
Eickenroht.	Smith of Smith.
Farrar.	Snelgrove.
Faulk.	Stell.
Forbes.	Swain.
Fuchs.	Van Zandt.
Gates.	Waddell.
Gibson.	Walker.
Gilbert.	Wallace of Smith.
Johnson.	Wassell.
Justice.	Webb.
Kennedy.	Williams
Kirkland.	of Sabine.
Land.	Woodall.
Loftin.	Young.
Masterson.	

Nays—46.

Anderson.	McCombs.
Barnett.	McKean.
Beck.	Morse.
Branch.	Moursund.
Conway.	Nabors.
DeBerry.	Parish of Runnels.
Dunlap.	Petsch.
Duvall.	Pool.
Finlay.	Pope.
Fly.	Rawlins.
Gray.	Rogers of Hays.
Hagaman.	Rogers of Shelby.
Hefley.	Runge.
High.	Shearer.
Holder.	Simmons.
Kemble.	Sinks.
Kincaid.	Smyth.
King of Hopkins.	Stevenson.
Lipscomb.	Stout.
Long.	Teer.

Veatch.	Ware.
Wallace	Wells.
of Freestone.	Williamson.
Wallace of Panola.	

Present—Not Voting.

Turner.

Absent.

Avis.	Nicholson.
Cox.	Parrish of Travis.
Cummings.	Pearce.
Graves.	Poage.
Hall.	Purl.
Harding.	Renfro of Mills.
Harman.	Sheats.
Holland.	Smith of El Paso.
Hornaday.	Storey.
Jacks.	Sutton.
Jones.	Taylor.
Kayton.	Whitaker.
Loy.	Williams
Minor.	of Travis.
Montgomery.	Woodruff.

Absent—Excused.

Alexander.	King of
Bonham.	Throckmorton.
Brown.	Kirby.
Foster.	Powell.
Kenyon.	Reagan.
Kinnear.	Tillotson.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Sinks, Senate bill No. 115 was ordered not printed.

On motion of Mr. Pope, Senate bill No. 155 was ordered not printed.

On motion of Mr. Finlay, House bill No. 411 was ordered not printed.

BILL RE-REFERRED.

On motion of Mr. Wells, House bill No. 364 was withdrawn from the Committee on Game and Fisheries and referred to the Committee on Appropriations.

COMMITTEE AMENDMENT ORDERED PRINTED.

On motion of Mr. McCombs, the committee amendment to House bill No. 96 was ordered printed instead of the original bill.

REPORT OF COMMITTEE TO INVESTIGATE CONDITIONS AT JOHN TARLETON JUNIOR AGRICULTURAL COLLEGE.

Mr. Graves, chairman on part of the House, submitted the majority report of the committee provided for at the Special

Session of the Thirty-ninth Legislature to investigate conditions at the John Tarleton Junior Agricultural College.

Mr. Pope submitted a minority report of the committee.

On motion of Mr. Graves, the House received the report.

Mr. Purl moved that the report be referred to the Committee on Education, and that it be not printed in the Journal until reported back to the House by the committee.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 2, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. C. R. No. 13, Authorizing A. and M. College to accept the Purnell Fund from the United States Government.

S. B. No. 56, A bill to be entitled "An Act amending Section 8, of Chapter 177, of the General Laws of the Regular Session of the Thirty-ninth Legislature, which section relates to wild beaver, wild otter and wild fox and the pelts thereof, so as to provide that said section shall not apply to that portion of Texas lying west of a line starting at the mouth of the Brazos river where it empties into the Gulf of Mexico, thence following the meanderings of the Brazos river north to the intersection of the east boundary line of Young county, thence north along the west boundary line of Jack and Clay counties to the Red river, and declaring an emergency."

S. B. No. 96, A bill to be entitled "An Act defining negligent assault and negligence; making it an offense to negligently injure the person or property of another, affixing a punishment therefor, and declaring an emergency."

S. B. No. 139, A bill to be entitled "An Act to amend Article 5922, of Title 96, of Revised Statutes, 1925, relating to removal of disabilities of minors, and declaring an emergency."

S. B. No. 16, A bill to be entitled "An Act to make it unlawful for any person, firm or private corporation within this State to divert the natural flow of the surface waters in this State or to permit such a diversion to continue after the passage of this act, or to impound any waters or to permit the

impounding thereof to continue after the passage of this act in such a manner as to damage the property of another; and to provide that in all such cases the injured party shall have remedies, both at law and in equity, and declaring an emergency."

S. B. No. 142, A bill to be entitled "An Act amending Article 6643 of the Revised Civil Statutes of 1925, relative to lis pendens notices; providing that lis pendens notices mentioned and referred to in said article shall be notice to all the world of their contents, and that the suit or suits mentioned therein are pending and shall operate as soon as filed with the county clerk for record as provided in Chapter 2, of Title 115, of the Revised Civil Statutes of 1925, whether service has been had on the parties to said suit or not, and declaring an emergency."

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

RECESS.

Mr. Kemble moved that the House recess to 2 o'clock p. m. today.

Mr. Rawlins moved that the House recess to 3 o'clock p. m. today.

The motion of Mr. Rawlins prevailed, and the House, accordingly, at 12 o'clock m., took recess to 3 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 3 o'clock p. m. and was called to order by the Speaker.

MOTION TO PRINT HOUSE BILL NO. 267.

Mr. Forbes moved that House bill No. 267 reported adversely with a minority favorable report be printed.

The motion to print was lost.

COMMUNICATION FROM HON. S. P. BROOKS.

The Speaker laid before the House and had read the following communication:

Baylor University,
Waco, Texas.

February 1, 1927.

Mr. C. L. Phinney, Chief Clerk, State Legislature, Austin, Texas.

Dear Mr. Phinney: We have received the resolution adopted by the Legislature concerning the terrible accident that happened to our boys. We have for-

warded a copy to the family of each one of the boys killed.

On behalf of Baylor University I want to express our appreciation of this further evidence of the kinship of sorrow and suffering. Words will not bring back the lives of our dear boys, but words may somewhat assuage the grief of those who sorrow.

Notwithstanding our inexpressible grief and our inability to fathom the tragedy, we still believe God lives, reigns and knows best what to do for his people.

Most sincerely,
S. P. BROOKS,
President.

RELATING TO HOUSE BILL NO. 50.

On motion of Mr. Young, by unanimous consent, the Engrossing Clerk was authorized to make certain corrections in House bill No. 50.

COMMITTEE AMENDMENT ORDERED PRINTED.

On motion of Mr. Stevenson, the committee amendment to House bill No. 316 was ordered printed instead of the original bill.

REPORT OF THE COMMITTEE TO INVESTIGATE JOHN TARLETON COLLEGE.

The House resumed consideration of pending business, same being the report of the committee to investigate affairs at John Tarleton College, the House having under consideration at this time the motion by Mr. Purl that the report be referred to the Committee on Education and that the report be not printed in the Journal until the committee reports back to the House.

(Mr. Satterwhite in the chair.)

Mr. Young moved the previous question on the motion by Mr. Purl and the main question was ordered.

Mr. Sheats called for a division of the question.

Question first recurring on the motion to refer the report to the Committee on Education it prevailed.

Question next recurring on the motion that the report be not printed, yeas and nays were demanded.

The motion to not print the report prevailed by the following vote:

Yeas—81.

Albritton.
Anderson.

Barnett.
Barron.

Bass.	Nabors.
Beck.	Nicholson.
Boggs.	Olsen.
Boon.	Parish of Runnels.
Branch.	Parrish of Travis.
Brown.	Petsch.
Conway.	Poage.
Cornwell.	Pool.
Cox.	Pope.
Cummings.	Porter.
DeBerry.	Purl.
Dielmann.	Rawlins.
Duvall.	Renfro
Farrar.	of Angelina.
Finlay.	Renfro of Mills.
Fly.	Rogers of Hays.
Foster.	Rowell.
Gates.	Runge.
Gibson.	Sanders.
Gilbert.	Shaver.
Hall.	Shearer.
Harding.	Sinks.
Hefley.	Smith of El Paso.
Holland.	Smith of Nueces.
Hornaday.	Smith of Smith.
Johnson.	Stevenson.
Jones.	Storey.
Justice.	Stout.
Kincaid.	Sutton.
King of Hopkins.	Swain.
Land.	Taylor.
Long.	Teer.
Loy.	Wallace of Panola.
McCombs.	Wallace of Smith.
McGill.	Ware.
McKean.	Wassell.
Minor.	Williams
Montgomery.	of Travis.
Moursund.	Young.
Murphy.	

Nays—36.

Acker.	Masterson.
Avis.	Merritt.
Bateman.	Moore.
Bird.	Morse.
Black.	Pavlica.
Dale.	Ramsey.
Davis.	Rogers of Shelby.
Durham.	Sheats.
Enderby.	Shirley.
Eickenroht.	Simmons.
Faulk.	Smyth.
Forbes.	Snelgrove.
Graves.	Stell.
High.	Waddell.
Kemble.	Walker.
Kennedy.	Webb.
Lipscomb.	Whitaker.
Loftin.	Woodall.

Present—Not Voting.

Daniel. Woodruff.

Absent.

Dunlap. Fuchs.

Gray.	Van Zandt.
Hagaman.	Veatch.
Harman.	Wallace
Holder.	of Freestone.
Jacks.	Wells.
Kayton.	Williams
Satterwhite.	of Sabine.
Smith of Atascosa.	Williamson.
Turner.	

Absent—Excused.

Alexander.	Kirby.
Bonham.	Kirkland.
Denman.	Pearce.
Kenyon.	Powell.
King	Reagan.
of Trockmorton.	Tillotson.
Kinnear.	

Mr. Purl moved to reconsider the vote by which the motion to refer and not to print prevailed, and to table the motion to reconsider.

The motion to table prevailed.

SENATE BILL NO. 115 ON SECOND READING.

On motion of Mr. Sinks, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to third reading,

S. B. No. 115, A bill to be entitled "An Act to repeal Articles 357, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 464, 466, 470, 475, 475a, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488 and 489, Revised Civil Statutes of the State of Texas adopted at the Regular Session of the Thirty-ninth Legislature; providing that bonds executed and securities deposited by State banks before the passage of this act, under the statutes hereby repealed, as members of the Bond Security System, shall not be affected by this repeal until the lapse of one year from the time of the approval of said bond by or deposit of said certificate, with the Banking Commissioner, under existing statutes, etc., and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to third reading.

SENATE BILL NO. 115 ON THIRD READING.

Mr. Sinks moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 115 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Acker.	Minor.
Anderson.	Montgomery.
Avis.	Moore.
Barnett.	Morse.
Bass.	Moursund.
Bateman.	Murphy.
Beck.	Nabors.
Bird.	Nicholson.
Boggs.	Olsen.
Branch.	Parish of Runnels.
Conway.	Parrish of Travis.
Cornwell.	Poage.
Cox.	Pool.
Cummings.	Porter.
Dale.	Ramsey.
Daniel.	Rawlins.
Davis.	Renfro of Mills.
Dielmann.	Rogers of Hays.
Durham.	Rowell.
Duvall.	Runge.
Enderby.	Sanders.
Eickenroht.	Satterwhite.
Faulk.	Shaver.
Finlay.	Shearer.
Fly.	Shirley.
Forbes.	Simmons.
Foster.	Sinks.
Fuchs.	Smith of Atascosa.
Gates.	Smith of El Paso.
Gibson.	Smith of Nueces.
Gilbert.	Smith of Smith.
Graves.	Smyth.
Gray.	Stevenson.
Hagaman.	Stout.
Harding.	Taylor.
Hefley.	Teer.
High.	Turner.
Holder.	Van Zandt.
Holland.	Wallace.
Hornaday.	of Freestone.
Jacks.	Wallace of Panola.
Johnson.	Wallace of Smith.
Jones.	Ware.
Kemble.	Wassell.
Kincaid.	Wells.
King of Hopkins.	Williams.
Land.	of Sabine.
Lipscomb.	Williams.
Loftin.	of Travis.
Long.	Williamson.
Masterson.	Woodall.
McGill.	Woodruff.
McKean.	Young.
Merritt.	

Nays—11.

Albritton.	Snelgrove.
Black.	Stell.
Boon.	Waddell.
DeBerry.	Walker.
Farrar.	Whitaker.
Rogers of Shelby.	

Present—Not Voting.

Kennedy.	Swain.
Sutton.	Webb.

Absent.

Barron.	McCombs.
Denman.	Pavlica.
Dunlap.	Petsch.
Hall.	Pope.
Harman.	Purl.
Justice.	Renfro
Kayton.	of Angelina.
Kenyon.	Sheats.
Kirkland.	Storey.
Loy.	Veatch.

Absent—Excused.

Alexander.	Kirby.
Bonham.	Pearce.
Brown.	Powell.
King of	Reagan.
Throckmorton.	Tillotson.
Kinnear.	

The Speaker then laid Senate bill No. 115 before the House on its third reading and final passage.

The bill was read third time.

Mr. Smith of Atascosa moved that the House recess to 10 o'clock a. m. tomorrow, and the motion to recess was lost.

(Speaker in the chair.)

Senate bill No. 115 was then finally passed by the following vote:

Yeas—113.

Acker.	Hefley.
Albritton.	High.
Anderson.	Holder.
Avis.	Holland.
Barnett.	Hornaday.
Barron.	Jacks.
Bass.	Johnson.
Bateman.	Jones.
Beck.	Kayton.
Bird.	Kemble.
Boggs.	Kennedy.
Conway.	Kincaid.
Cornwell.	King of Hopkins.
Cummings.	Kirkland.
Daniel.	Land.
DeBerry.	Lipscomb.
Dielmann.	Long.
Dunlap.	Masterson.
Durham.	McCombs.
Enderby.	McGill.
Farrar.	McKean.
Finlay.	Merritt.
Fly.	Minor.
Forbes.	Montgomery.
Foster.	Moore.
Fuchs.	Morse.
Gates.	Moursund.
Gibson.	Murphy.
Gilbert.	Nabors.
Graves.	Nicholson.
Hagaman.	Olsen.
Hall.	Parish of Runnels.
Harding.	Parrish of Travis.

Pavlica.	Stell.
Petsch.	Stevenson.
Poage.	Storey.
Pool.	Stout.
Pope.	Sutton.
Porter.	Swain.
Purl.	Taylor.
Ramsey.	Turner.
Rawlins.	Van Zandt.
Renfro of Mills.	Veatch.
Rogers of Hays.	Walker.
Rowell.	Wallace
Runge.	of Freestone.
Sanders.	Wallace of Panola.
Satterwhite.	Wallace of Smith.
Shaver.	Ware.
Shearer.	Wassell.
Sheats.	Webb.
Shirley.	Wells.
Simmons.	Williams
Sinks.	of Sabine.
Smith of Smith.	Williams
Smith of Nueces.	of Travis.
Smith of El Paso.	Woodall.
Smyth.	Woodruff.
Snelgrove.	Young.

Nays—9.

Boon.	Rogers of Shelby.
Eickenroht.	Smith of Atascosa.
Faulk.	Waddell.
Gray.	Whitaker.
Justice.	

Present—Not Voting.

Black.

Absent.

Branch.	Kenyon.
Cox.	Loftin.
Dale.	Loy.
Davis.	Renfro
Denman.	of Angelina.
Duvall.	Teer.
Harman.	Williamson.

Absent—Excused.

Alexander.	Kirby.
Bonham.	Pearce.
Brown.	Powell.
King of	Reagan.
Throckmorton.	Tillotson.
Kinnear.	

Reason for Vote.

I vote for this bill knowing that depositors in banks under the Guarantee Fund System which have gone broke and have not paid off depositors, will suffer a loss. But if we continue as under the present plan more banks will go broke, causing a further loss to depositors. It seems to be the acceptance of the lesser of the two evils.

YOUNG.

BILL ORDERED PRINTED.

Mr. Loy moved that House bill No. 213, reported adversely with a minority favorable report, be printed.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—73.

Albritton.	Morse.
Avis.	Moursund.
Barnett.	Olsen.
Barron.	Parish of Runnels.
Bateman.	Pavlica.
Beck.	Pope.
Bird.	Ramsey.
Black.	Rogers of Hays.
Boggs.	Runge.
Boon.	Shirley.
Conway.	Simmons.
Cummings.	Smith of Atascosa.
Daniel.	Smith of Nueces.
Davis.	Smith of El Paso.
Dielmann.	Smyth.
Durham.	Snelgrove.
Eickenroht.	Stevenson.
Faulk.	Stout.
Forbes.	Sutton.
Fuchs.	Swain.
Gibson.	Taylor.
Gilbert.	Teer.
Hall.	Van Zandt.
Harding.	Veatch.
Harman.	Waddell.
Holder.	Walker.
Holland.	Wallace
Hornaday.	of Freestone.
Johnson.	Wallace of Smith.
Jones.	Ware.
Justice.	Wassell.
Kayton.	Webb.
Kennedy.	Williams
Loftin.	of Sabine.
Loy.	Williamson.
McGill.	Woodall.
Minor.	Woodruff.
Moore.	Young.

Nays—27.

Bass.	Nabors.
Cornwell.	Nicholson.
DeBerry.	Parrish of Travis.
Farrar.	Poage.
Finlay.	Pool.
Foster.	Rawlins.
Gates.	Renfro of Mills.
Gray.	Rogers of Shelby.
Hagaman.	Rowell.
Hefley.	Sanders.
Kincaid.	Shearer.
Land.	Sheats.
Long.	Sinks.
McCombs.	Storey.
McKean.	Wallace of Panola.
Murphy.	Whitaker.

Present—Not Voting.

Purl.
Stell.Williams
of Travis.

Absent.

Acker.	King of Hopkins.
Anderson.	Kirkland.
Branch.	Lipscomb.
Cox.	Masterson.
Dale.	Merritt.
Denman.	Montgomery.
Dunlap.	Petsch.
Duvall.	Porter.
Enderby.	Renfro
Fly.	of Angelina.
Graves.	Satterwhite.
High.	Shaver.
Jacks.	Smith of Smith.
Kemble.	Turner.
Kenyon.	Wells.

Absent—Excused.

Alexander.	Kirby.
Bonham.	Pearce.
Brown.	Powell.
King of	Reagan.
Throckmorton.	Tillotson.
Kinnear.	

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees as follows:

Senate bill No. 16, to the Committee on Conservation and Reclamation.

Senate bill No. 56, to the Committee on Game and Fisheries.

Senate bill No. 96, to the Committee on Criminal Jurisprudence.

Senate bill No. 139, to Judiciary Committee.

Senate bill No. 142, to Judiciary Committee.

RECESS.

On motion of Mr. Montgomery, the House, at 5:15 o'clock p. m., took recess to 10 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following standing committees have today filed favorable reports on bills as follows:

Constitutional Amendments: House Joint Resolution No. 5.

Banks and Banking: Senate bill No. 115.

Public Lands and Buildings: House bill No. 310.

Common Carriers: House bill No. 387.

Appropriations: House bill No. 357.

Game and Fisheries: House bills Nos. 161, 398; Senate Concurrent Resolution No. 9.

Penitentiaries: House bill No. 59.

Judiciary: House bills Nos. 366, 96, 239, 278, 349, 356, 372, 347, 111; Senate bill No. 102.

Labor: House bills Nos. 385, 314.

Judicial Districts: Senate bill No. 155.

Privileges, Suffrage and Elections: House bill No. 85.

Live Stock and Stock Raising: House bills Nos. 316, 368.

The following standing committees have today filed adverse reports on bills as follows:

Judiciary: House bill No. 143.

Labor: House bill No. 311.

Agriculture: House bill No. 267.

Municipal and Private Corporations: House bill No. 254.

Common Carriers: House bill No. 213.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, February 1, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 98, A bill to be entitled "An Act amending Article 324 of the Revised Civil Statutes of the State of Texas by providing for the payment of assistant district attorneys in districts in which there is situated a city of twenty-eight thousand population and over, and for the removal of such assistant district attorneys, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

WHITAKER, Vice-Chairman.

Committee Room,

Austin, Texas, February 1, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 274, A bill to be entitled "An Act to create 'The County Criminal Court' for Dallas county, Texas; to de-

fine the jurisdiction thereof, and to conform to such change the jurisdiction of the county court of Dallas county; fixing the salary of the judge of said court; providing for the appointment and election of the said judges of said court hereby created; providing for the appointment of special judge and filling of vacancies in said office; providing for an official shorthand reporter for said court; providing a saving clause, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

WHITAKER, Vice-Chairman.

Committee Room,

Austin, Texas, February 1, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 150, A bill to be entitled "An Act to amend Article 1036, Title 15, Chapter 1, of Code of Criminal Procedure of the State of Texas of 1925, allowing witness fees and mileage in all out county felony cases in the sum of five cents per mile for each mile traveled going to and from the court or grand jury, and two dollars per day for each day of service by such witnesses in all cases who attend in obedience to any process issued by any grand jury or any court in this State other than county of their residence,"

Have carefully compared same and find it correctly engrossed.

WHITAKER, Vice-Chairman.

Committee Room,

Austin, Texas, February 1, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 112, A bill to be entitled "An Act to change and prescribe the time for holding the terms of district court in the Thirty-third Judicial District; to make all writs and process issued or served before this act takes effect, including recognizances and bonds, returnable to the terms of court in several counties in said district, as herein fixed; to validate the summoning of grand and petit jurors under the present law so as to render them available under the act; to provide for the continuation of court in session in said district when this act takes effect, to the end of the term; to repeal all laws

and parts of laws in conflict herewith, and providing an emergency,"

Have carefully compared same and find it correctly engrossed.

WHITAKER, Vice-Chairman.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, February 1, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 313, "An Act amending Title 8, Article 199, of the Revised Civil Statutes of the State of Texas, 1925, p. 100, Subdivision 47, third paragraph, by providing for the reorganization of the Forty-seventh Judicial District, naming the counties constituting the same, and creating and organizing the One Hundred and Eighth Judicial District of Texas, and naming the county constituting same; fixing the times and terms of the holding of the district court in the counties of such respective districts; and providing for the appointment of a district judge for the One Hundred and Eighth Judicial District, and making provisions in reference to processes issued, bonds and recognizances made and grand and petit jurors drawn before this act takes effect, and providing for the continuance in office of the judge and district attorney, respectively, for the Forty-seventh Judicial District; also, providing for the jurisdiction of said courts as to civil and criminal business, and fixing the time of taking effect of this act, and repealing all laws in conflict herewith, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

SEVENTEENTH DAY.

(Continued.)

(Thursday, February 3, 1927.)

The House met at 10 o'clock a. m. and was called to order by Speaker Bobbitt.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees as follows: